

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1119 of 2021

Arising Out of PS. Case No.-291 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

1. DABLU PASWAN S/O Yugal Paswan R/O Village - Pahetiya, P.S. - Sadar Hajipur, District - Vaishali.
2. Bablu Paswan S/O Yugal Paswan R/O Village - Pahetiya, P.S. - Sadar Hajipur, District - Vaishali.
3. Anand Paswan S/O Yugal Paswan R/O Village - Pahetiya, P.S. - Sadar Hajipur, District - Vaishali.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Mahendra Pratap, Advocate.
For the State	:	Mr. Anuj Kumar Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-08-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 03.01.2021, within four weeks of starting of the Court proceeding in physical mode in normal course.

At the very outset, learned counsel for the petitioners, through Video Conferencing, submits that the petitioner no.1, namely, Dablu Paswan, has already been arrested by the police in this case and, as such, this application, in respect of the petitioner no.1, namely, Dablu Paswan, for granting him the privilege of pre-arrest bail has become infructuous and seeks



permission to withdraw this application in respect of the petitioner no.1, namely, Dablu Paswan.

Permission is accorded.

This application in respect of the petitioner no.1, namely, Dablu Paswan, is dismissed as withdrawn.

Now, only the prayer of the petitioner no.2, namely, Bablu Paswan, and the petitioner no.3, namely, Anand Paswan, for granting them the privilege of pre-arrest bail is being considered, through Video Conferencing.

Heard learned counsel for the petitioner nos.2 and 3, above named, and the learned A.P.P. for the State, through Video Conferencing.

The petitioner nos.2 and 3, above named, apprehend their arrest in connection with Sadar Hajipur P.S. Case No.291 of 2019 registered under Sections 147, 341, 323, 307, 379 and 386 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that in the evening of 13.05.2019, the informant Kunal Kumar was returning to his house from Sarai Bazar. When the informant reached near Dipak Brick Kiln, situated in village-Pahetiya, then five persons, named in the F.I.R., including the petitioner nos.2 and 3, above named,



along with some unknown surrounded him and giving threatening asked the informant that he would have to give the ransom of Rs.1,00,000/ per annum. When the informant refused, then Yugal Paswan took the key of his vehicle pointing the pistol. At that time, Bablu Paswan (petitioner no.2) folded the 'Gamchchi' at the neck of the informant and Dablu Paswan snatched Rs.70,000/- from his pocket and Anand Paswan (petitioner no.3) snatched the gold chain from his neck. At that time, all gave threatening to the informant that if he wants to cultivate the land, he would have to pay the ransom and opened fire in the air to create terror.

Learned counsel for the petitioner nos.2 and 3, above named, submits that, due to land dispute, the informant, who is co-villager of the petitioner nos.2 and 3, above named, has lodged the present case with false allegation. The petitioner nos.2 and 3, above named, have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioner nos.2 and 3, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial



Magistrate, Vaishali at Hajipur, in connection with Hajipur
Sadar P.S. Case No.291 of 2020, subject to the conditions laid
down under Section 438(2) Cr.P.C.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

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